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Testimony on HB 6317 AAC Registration of Growers of Swine and Control of Certain Diseases. Public Hearing February 15, 2013.

My name is Diana Urban and I represent the 43rd District. I am testifying in favor of HB 6317 AAC Registration of Growers of Swine and Control of certain Diseases. Section 1 contains statutory language that was inadvertently repealed. It is important that we reenact this statutory language in order to give the Commissioner of Agriculture the tools necessary to prevent the spread of swine disease

I request that additional language be added in a new section 2 that addresses the issue of gestation crates for pigs. And confinement of veal calves I suggest the following language:

Sec. 2 Amends Title 53, Chapter 945 of the General Statutes entitled "Cruelty to Animals" by adding

- (a) For the purposes of this section: (1) "Calf raised for veal" means a calf of the bovine species kept for the primary purpose of producing the food product referred to as veal. (2) "Enclosure" means a cage, crate, or other structure used for confinement, including what is commonly described as a "gestation crate" for gestating sows and a "veal crate" for calves raised for veal.
- (3) "Farm" means the land, buildings, support facilities, and other equipment that are wholly or partially used for the commercial production of animals or animal products used for food or fiber; and does not include live animal markets.
- (4) "Farm owner or operator" means any person who owns or controls the operation of a farm; and does not include any non-management employee, contractor, or consultant.
- (5) "Fully extending its limbs" means fully extending all limbs without touching the side of an enclosure.
- (6) "Gestating sow" means a pregnant pig of the porcine species kept for the primary purpose of breeding.
- (7) "Person" means any individual, firm, partnership, joint venture, association, limited liability

company, corporation, estate, trust, receiver, or syndicate.

(8) "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure.

Page 2 of 3(b) The purpose of this section, subject to exceptions, is to prohibit the cruel confinement of calves raised for veal and sows during gestation.

(c) Notwithstanding any other provision of law, a farm owner or operator commits cruel confinement of a calf raised for veal or gestating sow if they knowingly tether or confine any calf raised for veal or gestating sow in an enclosure in a manner that prevents such animal from turning around freely, lying down, standing up, and fully extending its limbs.

(d) Subsection (c) of this section does not apply during:

(1) Medical research;

(2) Examination, testing, individual treatment, or operation for veterinary purposes, but only if performed by or under the direct supervision of a licensed veterinarian;

(3) Transportation; (4) State or county fair exhibitions, 4-H programs, and similar exhibitions; (5) Temporary confinement for animal husbandry purposes for no more than six (6) hours in any twenty-four (24) hour period; (6) Humane slaughter in accordance with applicable laws and regulations; and (7) The seven (7) day period prior to a gestating sow's expected date of giving birth.

(e) The provisions of this section are in addition to, and not in lieu of, any other laws protecting animal welfare. This section may not be construed to limit any state laws or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations.

It is not an affirmative defense to alleged violations of this section that the calf raised for veal or gestating sow was kept as part of an agricultural operation and in accordance with customary animal husbandry or farming practices.

(f) Any person who violates the provisions of this section shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Sec 3. If any provision of this act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this act that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this act are severable.

Sec. 3. This act shall take effect one year after its passage.

I appreciate the Committee's attention to this additional language

Thank You

Diana Urban